

Minutes WLGA Council

Item 2

via MS Teams

Friday November 27th 2020

Present:

Cllr Nigel Daniels (Blaenau Gwent)
Cllr Huw David (Bridgend)
Cllr Hywel Williams (Bridgend)
Cllr Cheryl Green (Bridgend)
Cllr Phillipa Marsden (Caerphilly)
Cllr Nigel George (Caerphilly)
Cllr Sean Morgan (Caerphilly)
Cllr Eluned Stenner (Caerphilly)
Cllr Emlyn Dole (Carmarthenshire)
Cllr Linda Evans (Carmarthenshire)
Cllr David M Jenkins (Carmarthenshire)
Cllr Huw Thomas (Cardiff)
Cllr Susan Elsmore (Cardiff)
Cllr Christopher Weaver (Cardiff)
Cllr Ellen ap Gwynn (Ceredigion)
Cllr Ray Quant MBE (Ceredigion)
Cllr Sam Rowlands (Conwy)
Cllr Goronwy Edwards (Conwy)
Cllr Hugh Evans OBE (Denbighshire)
Cllr Julian Thompson-Hill (Denbighshire)
Cllr Hugh Evans OBE (Denbighshire)
Cllr Julian Thompson-Hill (Denbighshire)
Cllr Ian Roberts (Flintshire)
Cllr Michelle Perfect (Flintshire)
Cllr Derek Butler (Flintshire)
Cllr Dyfrig Siencyn (Gwynedd)
Cllr Dafydd Meurig (Gwynedd)
Cllr Gareth Thomas (Gwynedd)
Cllr Llinos Medi (Isle of Anglesey)
Cllr Ieuan Williams (Isle of Anglesey)
Cllr Kevin O'Neill (Merthyr Tydfil)
Cllr Lisa Mytton (Merthyr Tydfil)
Cllr Peter Fox OBE (Monmouthshire)
Cllr Robert Greenland (Monmouthshire)
Cllr Edward Latham (Neath Port Talbot)
Cllr Carol Clement-Williams (Neath Port Talbot)
Cllr Jane Mudd (Newport)

Cllr Roger Jeavons (Newport)
Cllr Mark Spencer (Newport)
Cllr David Simpson (Pembrokeshire)
Cllr Neil Prior (Pembrokeshire)
Cllr Rosemarie Harris (Powys)
Cllr Matthew Dorrance (Powys)
Cllr Aled Davies (Powys)
Cllr Andrew Morgan (Rhondda Cynon Taf)
Cllr Robert Bevan (Rhondda Cynon Taf)
Cllr Christina Leyshon (Rhondda Cynon Taf)
Cllr Maureen Webber (Rhondda Cynon Taf)
Cllr Rob Stewart (Swansea)
Cllr Mary Sherwood (Swansea)
Cllr Clive Lloyd (Swansea)
Cllr Mark Thomas (Swansea)
Cllr Anthony Hunt (Torfaen)
Cllr Richard Clark (Torfaen)
Cllr Neil Moore (Vale of Glamorgan)
Cllr Lis Burnett (Vale of Glamorgan)
Cllr David A Bithell (Wrexham)

Apologies

Cllr Mark Prichard (Wrexham)
Cllr Rob Jones (Neath Port Talbot)
Cllr Edward Latham (Neath Port Talbot)
Cllr Nigel Smith (Conwy)
Cllr Ieuan Williams (Ynys Mon)
Cllr Lynda Thorne (Cardiff)
Cllr Sarah Merry (Cardiff)
Cllr Peter Bradbury (Cardiff)
Cllr Carolyn Thomas (Flintshire)

Associate Members

Cllr Gareth Ratcliffe, Brecon Beacons NPA
Cllr Peter Lewis, North Wales Fire Service

Representing Associate Member bodies:

Cllr Tudor Davies – Chair South Wales Fire & Rescue

Cllr Jan Curtice – Chair Mid & West Wales Fire & Rescue

Other Members in attendance: Cllr Colin Mann (Caerphilly)

WLGA Officers

Dr Chris Llewelyn, Chief Executive

Jon Rae, Director of Resources

Dr Tim Peppin, Director of Regeneration & Sustainable Development

Daniel Hurford, Head of Policy (Improvement and Governance)

Dilwyn Jones, Communications Officer

Lee Pitt, Democratic Services Officer

Item 1. Welcome and apologies

1. The Presiding Officer welcomed members to the meeting and apologies were noted as above.

Item 2. WLGA Leader's Update

2. Cllr Morgan highlighted the fact that this meeting would usually be focused on the Local Government Settlement but that local authorities were now mainly focussed on dealing with the effects on services of the Coronavirus pandemic with

3. He mentioned that the relationship and engagement with the Welsh Government throughout the pandemic has been extremely positive and that there was constant engagement with Leaders, Spokespersons and Welsh Government.

4. The Leader also highlighted the pressure staff in local authorities are under due to the pandemic. He mentioned staff working in education, public protection, trace and trace, finance departments making payments to businesses affected, £500 self-isolation payment, £500 payments to social care staff, FSM payments. Leaders and spokespersons constantly remind Ministers of the role local government but this year the role of local government in delivering local services delivered has been clear for all to see.

5. Following the firebreak, the number of virus cases reduced, but a difficult period is anticipated with the announced relaxation of some restrictions over the Christmas period which will lead to an increase in cases, hospitalisation and deaths and the need for restrictions in January.

6. The Leader mentioned the planned vaccine programme in Wales and said there could be good news shortly in relation to vaccine approval. A priority list for vaccination had been drawn up and care homes were at the top of the list. One of the vaccines likely to be approved needs to be stored at very low temperatures which may be difficult to use in care homes so the priority order may change.

7. Spending Review - following the Shadow Social Partnership Council with the First Minister yesterday it appears positive in relation to revenue funding

Item 3. Minutes of WLGA Meetings

• WLGA Council AGM 23rd October

8. **Matters arising:**

9. **Resolved that:**

Members approved the minutes of WLGA Council Annual General Meeting held 23rd October 2020; and
Members noted the decision of the WLGA Executive Board in relation to the Revised Framework for Regional Investment in Wales.

Item 4. Comprehensive Spending Review (CSR), Welsh Government Draft Budget & Draft Local Government Settlement 2021/22

10. Finance Spokesperson, Cllr Hunt, highlighted that the accompanying paper had been produced before the UK Government CSR yesterday (25th November).

11. Cllr Hunt gave a brief overview of Finance Sub-Group discussions earlier in November and an update on other finance issues and announcements. He said the Welsh Government has committed to sharing information as soon as they can with authorities and that are positive signs from Ministers who acknowledge that local government are an equal priority with the health service, which before last year, was not the case. He said Julie James, Minister for Housing and Local government is lobbying hard on behalf of local government and that because of the pandemic other government members now see how important local government is. Ministers said do not plan on too pessimistic a basis and the WLGA lobbied hard saying there were 7% budget pressures for 2021-22.

12. He gave the new date for the Welsh Government draft budget is December 21st. The provisional local government settlement will be on the 22nd December. The Spending Round and Welsh Government budget will be a single rather than multiyear announcements.

13. The Director of Resources confirmed the figures discussed in the Finance Sub-Group and the case for local government pressures in 2021-22 and also a three-year profile to 2023-24. It will be a one-year Welsh Government Budget and local government pressures are estimated to be £280m with £174m of that attributable to workforce pressures – the key unavoidable pressure. The paper includes details of the In-year Covid pressures and the claims process seems to be working well. The Wales Fiscal Analysis team reports there may be up to

£1.15bn of unallocated funds. The level of business support paid out during the firebreak is also in the accompanying report (para 22). The WLGA produced a briefing on the CSR for covering the main points of the Chancellor's short statement yesterday. The Chancellor also made three points in relation to public sector pay and the third one being a 'pause' in pay rise to public sector workers for 2021-21 (not affecting frontline health workers and those earning below £24k). Little detail on the Shared Prosperity Fund although the Chancellor did say 'over time' it would match the £1.5bn of EU funding and a number of pilot projects would be funded for 2021-22 to get the scheme up and running - no idea of the level of funding allocated and lots of detail still needed. Key is impact on the Welsh Government budget a £1.3bn consequential. £776m for 'covid related funding' 2021-22 – currently unsure how this will be allocated but expect to see £180m for local government. There is a net decrease in capital funding of about £160m with £164m for revenue funding and it is now for the Welsh Government to allocate. The Draft Welsh Government will be published 21st December and the Provisional LG settlement 22nd December.

14. Members thanked the Finance spokesperson for his lobbying efforts and wanted to know what the WLGA was asking for in terms of a percentage increase. Cllr Hunt confirmed that pre-CSR lobbying was 7% and that it should not go below 4.6% if that is the overall uplift. He also said that as the WLGA the disappointment that the equivalent spending areas in England, have effectively had a three-year settlement should be voiced. He pointed out that in Wales it remains a one-year settlement and a three-year settlement would make tremendous difference in terms of financial planning.
15. Members were also keen to understand whether the pause in pay rise announced for the public sector, by the Chancellor, would apply in Wales. A number of members felt it was effectively a slap in the face for local government workers who have been asked to go above and beyond the call of duty since the start of the pandemic. It was said that a pay freeze in effect a pay cut. It was also acknowledged by Cllr David, in his capacity as Health and Social Care Spokespersons, that it was disappointing that social care staff would not receive an increase especially as they risked and lost their lives during the pandemic. The Director of Resources confirmed that decisions on whether local government staff were still being decided by national pay negotiations. The equality aspect was highlighted in that low pay, job insecurity and the effect of the pandemic was felt disproportionately by women and that needed to change. It was also pointed out that social care staff should be treated the same as health staff.
16. Some members were sympathetic but pointed out the cost of the pandemic was huge and will have to be paid for at some point and that pay increases may lead to cuts in services.

17. The Leader asked if members wanted to take a position in relation to a pay freeze for staff and highlighted particularly the role of social care staff and the problems recruiting staff. He pointed out that while it was right that health staff were excluded from the freeze local government have also been on the front-line keeping services going.
18. It was proposed and agreed by members that a letter be sent to the Chancellor urging him to reconsider his position in relation to a freeze on public sector pay.

19. Resolved that:

Members noted the contents of the report.

Members agreed the Leader would write, in support of local government workers, to the Chancellor the Exchequer to ask that he reconsiders the planned freeze to public sector pay in 2021-22. (Letter to be shared with the Welsh Government for information).

Item 5. The Local Government and Elections (Wales) Bill

20. Head of Policy, Daniel Hurford, introduced the report and updated members on the passing of the Local Government and Elections (Wales) Bill Senedd on 18th November 2020 by 39 votes to 16, a year to the day after it was introduced in 2019. The report summaries and updates members of the key areas of reforms introduced by the Bill (para 9).
21. He reported that the Bill and specific provisions, notably Corporate Joint Committees, have been discussed at several meetings throughout 2019 and 2020 at Partnership Council and its Local Government Sub-Group, at WLGA Executive Board and in Leaders' meetings, most recently in October and November 2020.
22. The WLGA has supported the broad thrust of the Bill and many of the above reforms were welcomed but did not support specific parts of the Bill and raised concerns about the potential burdens and costs implications of the Bill. Some amendments have been introduced as a result of WLGA and local government lobbying which are welcome (para 11).
23. The proposal to give Ministers the power to establish Corporate Joint Committees, has caused much discussion amongst members and local government more widely, will come into force. The Welsh Government is currently consulting on the Regulations to Establish Corporate Joint Committees (consultation closes beginning of January) and a number of member and officer engagement events have been held, the Minister has said she is streamlining regional arrangements and empowering Leaders. Annex 1 summarises the proposed Regulations. It is anticipated that CJs will hold their first meeting by

September 2021. No detail on when they will be expected to discharge their functions and further clarity is need from Welsh Government.

24. The Minister is keen that authorities submit a regional response to the consultation and the WLGA will also produce a response for consideration by Leaders' in January.
25. Members were keen not to go over old differences and recognised it was important to shape the Regulations into something authorities can work with and stressed how important it was for all 22 authorities to submit responses to the consultation. It was remarked CJC's were another level of bureaucracy and the benefits and risks are not clear and while the current Minister has good intentions in relation to local government, other's before haven't and those in the future may not.
26. Some members felt CJC's would draw funding away from core activities of authorities. The need for safeguards to ensure authorities have the final say in decision making and veto in their areas and not subject to others on the CJC being able 'out vote' individual authorities was mentioned.

27. Resolved that:

- 1.1 **Members noted the contents of the report; and**
- 1.2 **Members provided initial views on the draft Corporate Joint Committee regulations.**

Item 6. EU Transition Update

28. Members received an update from Cllr Rob Stewart, Economic Development, Europe and Energy Spokesperson, on the latest position regarding the ending of the EU transition period and a report on the materials produced by WLGA which local authorities have received to assist preparations. The valuable role of the EU Coordinators in authorities was highlighted and the Welsh Government has been approached to continue funding for another year.
29. Cllr Stewart reported the estimated the negative financial impact of both a deal (£1.5bn) and no deal (£3.5bn) on the Welsh economy. While eleventh hour discussions are taking place, as yet no deal has been agreed between the UK and EU and serious concerns remain about what happens when the transition period ends on 31st December the. Regions are updating their Brexit preparedness plans and members were advised to review them. He highlighted the effect Brexit would have even if there was not a global pandemic happening at the same time.

30. Cllr Stewart reported there was still not clarity, detail or certainty with regard to the Shared Prosperity Fund with no detail from the Comprehensive Spending Review on how the fund would be managed and distributed. He stressed it was important, that Wales as a whole, does not lose out in any post Brexit arrangements and that the WLGA would continue to seek clarity from the UK Government on the fund. On what is already known, support for farming is reduced and capital funding is less. Under EU arrangements, funding meets the areas of most need and but under the new system there is no guarantee this will happen and hoped that it would not cause division amongst authorities.

31. Members raised concerns about the impact of lorries stacking up at ports if there was a deal or no deal and asked that the WLGA approached the Welsh Government for additional funding to support give that officers are already stretched due to the pandemic. The Chief Executive confirmed that Group Leaders has discussed the issue and were asking Welsh Government for an urgent meeting to discuss. Some member felt that the Shared Prosperity Fund supported the principles of the recently published WLGA manifesto and allows for authorities to deliver in communities and be accountable.

32. It was reported that the EU Transition Coordinators, in every authority, have been an invaluable resource in supporting the work in preparation for Brexit and the Welsh Government has been approached to continuing into the next financial year as the implication for authorities carry on.

33. Resolved that:

Members noted the report on local authority readiness for the ending of the transition period and the materials produced by Grant Thornton to assist preparations.
Members agreed that the WLGA should request and urgent meeting with Welsh Government to discuss the effect on ports in Wales generally and specifically in relation to capacity and funding.

Item 7. Education Update

34. Members received an update that covered the *Exams and Qualifications 2021* and the role of the *Schools Social Partnership Forum*.

35. Earlier in the month the Education Minister announced there would be no end of year exams for learners taking GCSEs, AS Level or A Levels and that in place of exams, the Welsh Government intended to work with schools and colleges to take forward teacher-managed assessments.

36. Cllr Roberts, WLGA Education Spokesperson, explained that the Schools Social Partnership Forum was established in the summer term 2020 meets twice monthly to resolve any issue between the employers (LAs) and trade unions. He reported that it was a useful mechanism which has discussed a number of important issues.

37. Given the rising number of cases of the virus across Wales the issue of when schools would close for Christmas was discussed in at length.

38. Members all recognised the importance of keeping schools open and were keen that learners should not be impacted any more than they already had. It was accepted that circumstances across varied greatly across Wales, in regard to the spread of the virus, and acknowledged that the safety of children and staff was paramount. It was felt the best outcome would be for the Welsh Government to make an announcement on school closures covering all school in Wales.

39. Resolved that:

24.1 Members agreed to keep schools open to 18th of December (the originally planned last day of term) but respected that individual local authorities would make any decisions on closing schools early for Christmas based on the prevailing local circumstances.

Item 8. Diversity in Democracy - WLGA Working Group Report

40. Members received a report on the work undertaken by the WLGA Cross Party Working Group on Diversity in Local Democracy and seek Council's endorsement of proposals to achieve a 'step change' at the 2022 local elections. However, as the earlier part of the meeting overran it was agreed to consider the report at the next meeting.

41. Resolved that:

Members agreed to postpone the Item and asked that it be tabled for discussion at next WLGA Council meeting.

Members agreed that WLGA Group Leaders should meeting with the joint WLGA Spokesperson for Equalities, Welfare Reform and Anti-poverty & Co-Chair of Working Group to discuss the report in advance of the next WLGA Council meeting.

Meeting closed